

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 08-CR-364 (RHK/AJB)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS JOSEPH PETTERS,

Defendant.

**DEFENDANT'S RESPONSE TO
MOTION TO DEFER
RESTITUTION HEARING**

Defendant Thomas Joseph Petters, by and through his undersigned attorneys, hereby responds to the USAO's Motion to Defer Restitution Hearing [Docket No. 370] as follows:

1. The USAO states that it has identified many victims and loss amounts, but perhaps not all of them. Thus, citing 18 U.S.C. § 3664(d)(5), USAO requests the restitution hearing be delayed 60 to 90 days following sentencing.

2. For more than a year, the events at issue in this case have been: (a) analyzed by the government in great detail; (b) analyzed by the court-appointed receiver and his accounting firm; (c) the subject of multiple civil lawsuits brought by numerous individuals; (d) widely disseminated by the news media, both locally and nationwide. Given this state of affairs, it is doubtful that many (if any) additional individuals claiming to be victims will be discovered after sentencing.

3. Nevertheless, because it is not constructive to belabor the point, the defense will not object to a short delay. However, in the interest of expeditious closure to the

proceedings, the defense requests the restitution hearing be held 30 to 60 days after sentencing.

Dated: January 26, 2010

s/ Jon M. Hopeman

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